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NIXON & VANDERHYE P.C. 1100 North Glebe Road, 8th Floor Arlington, VA 22201			EXAMINER LELE, TANMAY S	
			ART UNIT 2684	PAPER NUMBER

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,480

Applicant(s)

ANDREASON, TOMAS

Examiner

Tanmay S Lele

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 01 July 2004 have been fully considered but they are not persuasive.
2. Regarding claims 1-5, 7-14, 16, 18, and 19, Applicant attempts to overcome the rejection by stating, "Unfortunately Examiner has not indicated whether Haartsen's BLUETOOTH link should connect handset 24 with controller or connect the controller 16 with the mobile telephone 14." Examiner respectfully disagrees that such indication was not stated and further that the combination is improper and would render Suresan inoperable. Note that Suresan teaches of "an adapter apparatus capable of controlling the operation of a mobile telephone so that a light-weight stationary telephone handset can be used connect to the cellular network of the mobile telephone," (Suresan: starting page 1, line 32 and ending page 2, line 2). Additionally Suresan teaches of a variety of ribbon cable lines that connect the connector 19 to the microprocessor 16 (fourteen lines, several of which contain audio and telephonic operation lines, see page 4, lines 1 – 24). Continuing, note that Haartsen teaches of "BLUETOOTH technology... eliminates the need for wires, cables, and connectors for and between cordless or mobile phones, modems, headsets, PDAs, computers..." (page 110 and illustrated in Figure 1) and further alludes to some operational scenarios on page 112 (for example, Box C). In Box C, a variety of potential scenarios are illustrated such as the use of intercom functions, speakerphone, wireless audio headset operation, and hands-free operations. Thus it is respectfully believed that the wired audio lines/cabling as discussed in Suresan (and noted above) could have been replaced with

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Haartsen's wireless transceivers as taught by Haartsen and detailed in the previous Office Action (mailed 5 April 2004, pages 3 – 4).

Applicant further attempts to overcome the rejection by stating "It is difficult to image how the docking station 12 in Suresan could be legitimately reconfigured to use short range wireless links. A docking station is the very thing that Suresan has invented. Eliminating the wire connections in the docking station dismantles the docketing station, fundamentally altering/voiding Suresan's invention. Nor is it clear how Suresan could even be modified as proposed by the Examiner and still work." Examiner once more disagrees with Applicant's assertions. As stated above, Suresan's wired audio connection lines would be replaced with Haartsen's wireless transceiver pairs to allow audio communications between the mobile handset and the stationary base.

Applicant continues by stating, "Looking at this proposed combination more specifically, it is uncertain how the battery charger 22, absent the docking station 12 and its wireline connections, would be able to supply power to the mobile telephone over a radio link as required by Suresan's own specification." Note that as stated above, Haartsen teaches of audio and telephonic operation with their wireless transceivers (in addition to the previously and above cited sections, again in for example page 114, the "Piconets" and "Establishing Connection" paragraphs which detail the short-range wireless link formation) and thus power was not intended to be transferred wirelessly (as this was not seen to be taught by Haartsen). Suresan further indicates these to be preferable incorporations (as for example in the Abstract which states "The docking station *may* also incorporate...", further on page 2, lines 7 –19 which states no charger, further down the page which alternatively states, "Advantageously the apparatus

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further comprises arranged to charge the mobile in a standby mode...”) and it is not believed that Suresan specifically requires the charger but as stated above, proposes its inclusion as a possible advantage to the proposed invention (stated starting page 1, line 33 and ending page 2, line 19) and not necessary to this stated functionality or intent of invention. Note it is respectfully believed that this concept is supported in the fact the Suresan teaches of charging in standby mode (starting page 2, line 28 and ending page 3, line 2) and in operation (as noted by Applicant page 5, lines 23 –27) and additionally teaches that the mobile can operate without being docket (page 8, lines 27 –28 and again alluded to in page 1, lines 20 –27). Hence Examiner is not persuaded by Applicant’s arguments Suresan would be inoperable if combined with Haartsen and additionally that the combination of the cited art do not teach the claimed as presented.

Applicant further states, “Haartsen teaches away from the independent claims and from the combination proposed by the Examiner.” Examiner respectfully disagrees, as detailed above with reference to Haartsen teaching of eliminating cables (page 110) and further illustrating the use of short-range wireless audio and telephony transceivers (Figure 1 and column 2 on page 110 and Box C page 112). Examiner again disagrees with Applicant’s assertion that Figure 1 and Box C teach away from Suresan. Note that Haartsen shows in Figure 1 (and page 110 column 2) a mobile phone in communication with a mobile network and Suresan teaches of a terminal that allows for use of stationary phone with the mobile network infrastructure. Thus, one potential scenario of the proposed combination of Suresan and Haartsen could be with Haartsen’s laptop replaced with Suresan’s stationary handset device (both of which would include Haartsen’s audio telephonic short-range wireless transceivers). Box C’s plurality of scenarios, when viewed with Suresan, are reverently believed to support this (and other) concepts, as for example using the

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same phone (or same phone number as seen in Suresan page 1, lines 14 – 17) everywhere, hands-free operations, and speakerphone (note Suresan teaches of PA speaker control, on page 4, line 12) operations. Lastly, in regards to the assertion that “There is no recognition by Haartsen that it may be desirable, at least for some users, to use a stationary telephony terminal coupled by a wireless link to a mobile radio telephone to permit easy dialing, convenient handling, and other qualities that are afforded by traditional stationary telephony devices as compared to mobile devices,” note that the combination of Suresan in view of Haartsen were cited as teaching the claimed and that Suresan does allude to some benefits of using an alternate to the mobile, as per page 1, lines 20 – 24.

3. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Regarding claims 1-5, 7-14, 16, 18, and 19 Applicant attempts to overcome the rejection by stating, “In any obviousness analysis, it must be shown that there is a 'motivation' or 'suggestion' in the prior art to make the modification or combination.” As discussed above, Haartsen teaches of replacing wired audio and telephonic lines, such as those stated in Suresan, in favor of wireless ones thus allowing for a different devices and applications (for example, as added range considerations and non line of sight operations). It is respectfully believed as

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described above that the Examiner has not dismissed "the differences between the independent claims and Suresan and simply substituted the BLUETOOTH wireless link... for the hardware connections... of Suresan." Note that as described above, Suresan would not be "dismantled" and further that benefits in line with the teachings of both cited references (for example allowing a user encumbered with a hot and high powered mobile cellular handset to transfer to an on-going conversation to stationary phone, see Suresan page 1, lines 20 – 30 when in proximity without insertion into the cradle, see Haartsen, page 112 bullet 3) are apparent from the combination, all reverently believed to be within the scope, operational features, and teachings of the cited prior art, as discussed above (again for example, if the phone was not in need of charging, as per Suresan's page 5, lines 18 –21 or alternately for example to move a potentially higher power RF transmitting mobile away from ones head, as per Suresan's page 1, lines 27 – 30). Note additionally for example, Suresan teaches of the controller unit being able to charge or not charge the mobile based on its needs (page 5, lines 17 –21) further supporting the concept that insertion of the mobile into the cradle need not necessarily be required and thus further respectfully believed to add support to the concept of combining with the short ranged, non-line of sight wireless cable replacement taught by Haartsen. Hence Examiner is not persuaded by Applicant's assertion that motivation does not exist and further that the combination is not desirable.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 5, 7-14, 16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suresan (Suresan, World Intellectual Property Organization, WO 98/47300) in view of Haartsen (Haartsen, “BLUETOOTH- The Universal Radio Interface for ad hoc, wireless Connectivity”).

Regarding claims 1 and 7, Suresan teaches of an arrangement and method of a telephony system comprising: at least one mobile radio telephone for being radio connected to a mobile radio telephony network in the telephony system via a radio link (Figures 1 and 2); and at least one stationary telephony terminal and the stationary telephony terminal is arranged to communicate over the mobile radio telephony network via the mobile radio telephone (starting page 1, line 32 and ending page 2, line 6).

Suresan does not specifically teach of wherein the stationary telephony terminal and the mobile radio telephone each have a short range transceiver for intercommunication via a short range wireless communication link.

In a related art dealing with mobile phones, Haartsen teaches of characterized in that the stationary telephony terminal and the mobile radio telephone have each a short range transceiver for intercommunication via a short range wireless communication link (pages 110 – 112).

It would have been obvious to one skilled in the art at the time of invention to have included into Suresan’s mobile-telephony combination system, Haartsen’s local area wireless transceivers, for the purposes of eliminating cables, as taught by Haartsen,

Regarding claim 2, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 1. Suresan further teaches of wherein the stationary telephony terminal has a

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device for taking a telephone number to a called subscriber (starting page 4, line 32 and ending page 5, line 8; starting page 5, line 28 and ending page 6, line 10 and page 6, lines 20 – 27 and page 8, lines 4 –16).

Regarding claim 3, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 1. Haartsen further teaches of wherein the short range transceivers are radio transceivers (page 110).

Regarding claim 4, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 3. Haartsen further teaches of wherein the short range radio transceivers are BLUETOOTH transceivers (page 110).

Regarding claim 5, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 3. Haartsen further teaches of wherein the short range transceivers are optical transceivers (page 110).

Regarding claim 8, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 7. Haartsen further teaches of comprising the following steps: sending, from the stationary telephony terminal, discovery signals over the short range wireless communication link (page 115 –117); receiving in the mobile radio telephone said discovery signals (page 115 – 117); sending response signals from the mobile radio telephone (page 115 –117); receiving in the stationary telephony terminal the response signals (page 115 –117); and sending a mobile identification signal from the mobile radio telephone (page 115 –117).

Regarding claim 9, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 8. Haartsen further teaches of wherein the identification signal includes an individual identification signal for the mobile radio telephone (page 115 -117).

Regarding claim 10, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 8. Haartsen further teaches of comprising the following steps: sending, from the mobile radio telephone, discovery signals over the short range wireless communication link; receiving in the stationary telephony terminal said discovery signals (page 115 –117); sending response signals from the stationary telephony terminal (page 115 –117); receiving in the mobile radio telephone the response signals (page 115 –117); and sending a mobile identification signal from the mobile radio telephone (page 115 –117).

Regarding claim 11, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 10. Haartsen further teaches of wherein the identification signal from the mobile radio telephone includes an individual identification signal for the mobile radio telephone (page 115 -117).

Regarding claim 12, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 9. Haartsen further teaches of comprising sending from the stationary telephony terminal an authentication code to the mobile radio telephone (page 117).

Regarding claim 13, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 12. Haartsen further teaches of comprising taking a service code on the stationary telephony terminal, indicating when the sent authentication code is valid (pages 115-117).

Regarding claim 14, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 12. Haartsen further teaches of comprising checking the authentication code in the mobile radio telephone (pages 115- 117).

Regarding claim 16, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 7. Suresan further teaches of comprising the following steps: receiving an incoming call on the mobile radio telephone via the radio link from the mobile radio telephony network (page 7, lines 12 –30) and Haartsen further teaches of transmitting a message regarding the call to the stationary telephony terminal via the short range wireless communication link (pages 115 –117); and establishing a speech channel on the short range wireless communication link (pages 115 –117).

Regarding claim 18, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 7. Suresan further teaches of comprising the following steps: taking a telephone number on the stationary telephony terminal to a called subscriber (starting page 4, line 32 and ending page 5, line 8; starting page 5, line 28 and ending page 6, line 10 and page 6, lines 20 – 27 and page 8, lines 4 –16); transmitting the telephone number to the mobile radio telephone setting up a connection on the radio link from the mobile radio telephone to the mobile radio telephony network in dependence on the transmitted telephone number (starting page 4, line 32 and ending page 5, line 8; starting page 5, line 28 and ending page 6, line 10 and page 6, lines 20 – 27) and Haartsen further teaches of setting up a connection on the short range wireless communication link (pages 115 – 117) and via the short range wireless communication link (page 110 – 111).

Regarding claim 19, Suresan teaches of a stationary telephony terminal (Figures 1 and 2), comprising: a controlling device, and arranged to support telephony from the stationary telephony terminal over a mobile radio telephony network via said mobile radio telephone (starting page 1, line 32 and ending page 2, line 6).

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Suresan does not specifically teach of a short range transceiver for intercommunication with a mobile radio telephone via a short range wireless communication link and connected to the short range transceiver.

In a related art dealing with mobile phones, Haartsen teaches of a short range transceiver for intercommunication with a mobile radio telephone via a short range wireless communication link (pages 110 – 112) and connected to the short range transceiver (pages 110 – 112).

It would have been obvious to one skilled in the art at the time of invention to have included into Suresan's mobile-telephony combination system, Haartsen's local area wireless transceivers, for the purposes of eliminating cables, as taught by Haartsen,

6. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suresan (Suresan, World Intellectual Property Organization, WO 98/47300) in view of Haartsen (Haartsen, "BLUETOOTH- The Universal Radio Interface for ad hoc, wireless Connectivity") as applied to claim 1 above, and further in view of Uchiyama (Uchiyama, US Patent Application No. 2002/0072390).

Regarding claim 6, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 1. Suresan in view of Haartsen do not specifically teach of wherein the stationary terminal includes a device for generating a ring signal.

In a related art dealing with docking stations, Uchiyama teaches of wherein the stationary terminal includes a device for generating a ring signal (paragraph 0049).

It would have been obvious to one skilled in the art at the time of invention to have included into Suresan and Haartsen's mobile-telephony combination system, Uchiyama's ringer, for the purposes of being alerted when a call was incoming, as taught by Uchiyama.

Regarding claim 17, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 16. Suresan in view of Haartsen do not specifically teach of comprising generating a ring signal in the stationary telephony terminal in dependence of the message regarding the call.

In a related art dealing with docking stations, Uchiyama teaches of comprising generating a ring signal in the stationary telephony terminal in dependence of the message regarding the call (paragraph 0049).

It would have been obvious to one skilled in the art at the time of invention to have included into Suresan and Haartsen's mobile-telephony combination system, Uchiyama's ringer, for the purposes of being alerted when a call was incoming, as taught by Uchiyama.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suresan (Suresan, World Intellectual Property Organization, WO 98/47300) in view of Haartsen (Haartsen, "BLUETOOTH- The Universal Radio Interface for ad hoc, wireless Connectivity") as applied to claim 1 above, and further in view of Patel (Patel, US Patent No. 6,118,993).

Regarding claim 15, Suresan in view of Haartsen teach all the claimed limitations as recited in claim 12. Suresan in view of Haartsen do not specifically teach of comprising checking the authentication code in the mobile radio telephony network.

In a related art dealing with mobile equipment, Patel teaches of comprising checking the authentication code in the mobile radio telephony network (column 6, lines 1 -9).

It would have been obvious to one skilled in the art at the time of invention to have included into Suresan and Haartsen's mobile-telephony combination system, Patel's

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authentication system, for the purposes of preventing unauthorized usage on the system, as taught by Patel.

Citation of Pertinent Prior Art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Inventor	Publication	Number	Disclosure
Hofman	US Patent Application	2002/0090919	Adapter to convert cell phone to desktop telephone
Helstab et al.	US Patent	6,073,031	Desktop docking station for use with a wireless telephone handset
Jonsson et al.	US Patent	5,903,833	Method and apparatus for routing calls by remote control
Uratani	US Patent	5,850,593	Mobile communication for a mobile station near or outside a service area of a base station

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanmay S Lele whose telephone number is (703) 305-3462. The examiner can normally be reached on 9 - 6:30 PM Monday – Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (703) 308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tanmay S Lele
Examiner
Art Unit 2684


NAY MAUNG
SUPERVISORY PATENT EXAMINEE

tsl
October 26, 2004